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August 18, 2008

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Hon. Shira A. Scheindlin
United States District Judge
United States District Court for the
Southern District of New York
500 pearl Street
New York, N.Y. 10007

Re: Bielinski and Pardo v. Pierre Hotel
07 Civ. 11636 (SAS)

Dear Judge Scheindlin:

I am in receipt of a letter to you from plaintiffs' attorney, Arthur Schwartz, Esq., dated August 15, 2008, a copy of which was faxed to me at 5:35 P.M. on that date. I did not receive a copy of the fax until this morning. I want to correct the misleading statement in that letter, claiming I would not object to an extension of time from August 15 until September 26, 2008 for plaintiffs to file their opposition papers.

Mr. Schwartz called me shortly before 5:00 P.M. on August 15, to tell me that he would be unable to submit his papers on time and required an extension. I told him that I could not give my consent and that he would have to ask Your Honor's permission for an extension. I asked him how much time he needed and he told me that he would be out of town for three (3) weeks. He led me to believe his intention was to seek a three-week extension. I expressed the opinion that that was too long an extension and did not think Your Honor would grant it. I expressed my displeasure that he was seeking an extension and at the last minute request, but I did tell him that I did not want to be discourteous to a colleague and would not oppose a request for a reasonable extension, if he really needed it.

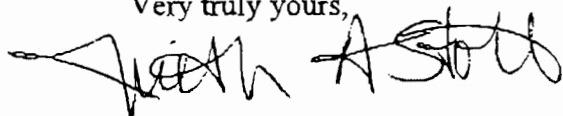
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DOC #: _____
DATE FILED: 8/18/08

KANE KESSLER, P.C.

I was surprised this morning when I saw Mr. Schwartz's request for a six-week extension of time. While I can understand that unexpected events can occur which place attorneys in a difficult position, Mr. Schwartz has known for more than two (2) months that opposition papers were due on August 15th, must have known before 5:00 P.M. that day that he could not submit his papers on time, and – quite frankly – should have made more of an effort to meet the Court's deadline.

Although I would have given Mr. Schwartz the courtesy of not opposing a brief and reasonable extension of time upon a showing of extraordinary circumstances, I find that I must protest his request for this unreasonably lengthy and, it appears to me, unjustified extension.

Very truly yours,



Judith A. Stoll

JAS:cmb

cc: Arthur Schwartz, Esq.
Yvonne Mancini

Plaintiff's time to submit his opposition papers
is extended to September 5, 2008. No further
extensions will be granted for any reasons.

Dated: New York, New York
August 18, 2008

SO ORDERED:



Arthur A. Schwartz, Jr.
U.S.D.J.